

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AES NEWENERGY, INC.

Plaintiff,

v.

POWERWEB TECHNOLOGIES, INC.

Defendant.

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Civil Action No. 02-CV-2733

**PLAINTIFF AES NEWENERGY'S FIRST SET OF
REQUESTS FOR PRODUCTION OF DOCUMENTS
DIRECTED TO DEFENDANT POWERWEB**

Pursuant to the Federal Rules of Civil Procedure and the Local Rules of the United States District for the Eastern District of Pennsylvania, plaintiff AES NewEnergy, Inc. directs defendant Powerweb Technologies, Inc. to produce documents as follows:

INSTRUCTIONS

- A. Respond to each numbered request separately.
- B. For each request, produce all nonidentical copies, including drafts and copies upon which notes or notations have been made.
- C. If you object to producing some or all of the contents of any responsive document, state any privilege asserted and identify the document with reasonable particularity to enable the parties and the Court to assess the validity of your objection. The information should include the:
 - 1. type of document;
 - 2. general subject matter of the document;

6. All documents provided by you to Bell Atlantic, or received by you from Bell Atlantic, concerning Omni-Link.

7. All documents concerning any project implementation plan, schedule and/or cost analysis, for the development and integration of Omni-Link into Bell Atlantic's energy program.

8. All documents concerning your design of an Omni-Link system for Bell Atlantic.

9. All documents concerning AES NewEnergy's payment of \$100,000 to Powerweb, including but not limited to bank statements reflecting Powerweb's receipt of the money.

10. All documents concerning AES NewEnergy's prior approval of the allocation and/or use of the \$100,000 that AES NewEnergy provided to you under the Contract.

11. All documents concerning your use of the \$100,000 that AES NewEnergy provided to you under the Contract, including but not limited to receipts, invoices, copies of checks and bank statements.

12. All documents concerning Bell Atlantic's decision not to use Omni-Link.

13. All documents concerning joint development opportunities for Powerweb and AES NewEnergy, other than opportunities at Bell Atlantic.

14. All documents concerning complaints about Omni-Link, including but not limited to Omni-Link's failure to perform as expected, from your customers and/or prospective customers.

15. A copy of the purported executed "non-disclosure" agreement referenced in Defendant's Motion to Dismiss Complaint, including any unexecuted drafts of the agreement.